



General Assembly

February Session, 2020

***Raised Bill No. 5203***

LCO No. 1558



Referred to Committee on AGING

Introduced by:  
(AGE)

***AN ACT CONCERNING PROPERTY TAX DEFERRAL FOR ELDERLY PERSONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2020, and applicable to assessment*  
2       *years commencing on or after October 1, 2020*) (a) For purposes of this  
3       section, "qualified taxpayer" means (1) a person sixty-five years of age  
4       or older in the calendar year preceding the year in which a claim for tax  
5       relief is filed pursuant to this section, (2) the spouse of such person,  
6       provided such spouse is domiciled with such person, (3) a surviving  
7       spouse sixty-two years of age or older of a person who at the time of  
8       such person's death had qualified and was entitled to tax relief under  
9       this section, provided such surviving spouse was domiciled with such  
10      person at the time of the person's death, (4) a person, who himself or  
11      herself, or his or her spouse, has been a resident of the state for at least  
12      ten years before applying for tax relief pursuant to this section and  
13      occupies the home for which tax relief is sought, and (5) a person whose  
14      taxable and nontaxable income in the tax year preceding the date of  
15      application for relief under this section was not in excess of limits set  
16      forth in section 12-170aa of the general statutes, as adjusted annually.

17 (b) Any municipality, upon approval of its legislative body, may  
18 permit an owner of real property or any tenant for life or for a term of  
19 years liable for property taxes under section 12-48 of the general statutes  
20 who is a qualified taxpayer to defer paying property taxes, in an amount  
21 not to exceed fifty per cent of such taxpayer's proportional share of the  
22 full and fair cash value of the property for which tax relief is sought.  
23 Such municipality shall have a lien, which shall take priority over all  
24 other liens, except for another lien filed by such municipality, against  
25 such taxpayer's property in the amount of the deferred taxes with  
26 interest compounded at not more than eighteen per cent annually.  
27 Notwithstanding the provisions of this subsection, upon the death of the  
28 qualified taxpayer, the heirs-at-law, assignees or devisees shall have  
29 first priority to the real property for which a tax deferral was granted by  
30 paying in full the total taxes which would otherwise have been due, plus  
31 interest.

32 (c) A person applying for a tax deferral pursuant to this section shall  
33 annually apply for such deferral on a form and not later than a date  
34 prescribed by the municipality's chief assessment authority. The  
35 municipality's chief assessment authority shall annually send to a  
36 qualified taxpayer written notice of the tax liability incurred by such  
37 taxpayer.

38 (d) If title to the real property for which tax relief is sought pursuant  
39 to this section is recorded in the name of the qualified taxpayer and any  
40 other person or persons, the qualified taxpayer shall be entitled to  
41 request a deferral of his or her fractional share of the tax on such  
42 property and such other person or persons shall pay the person's or  
43 persons' fractional share of the tax without regard for the provisions of  
44 this section. For the purposes of this section, a "mobile manufactured  
45 home", as defined in section 12-63a of the general statutes, shall be  
46 deemed to be real property.

47 (e) If a qualified taxpayer transfers, assigns, grants or otherwise  
48 conveys subsequent to the first day of October, but prior to the first day  
49 of August, in such assessment year the interest in real property for

50 which a tax deferral is granted, regardless of whether such transfer,  
 51 assignment, grant or conveyance is voluntary or involuntary, the  
 52 amount of such tax deferral shall be a pro rata portion of the amount  
 53 otherwise applicable in such assessment year to be determined by a  
 54 fraction the numerator of which shall be the number of full months from  
 55 the first day of October in such assessment year to the date of such  
 56 conveyance and the denominator of which shall be twelve. If such  
 57 conveyance occurs in the month of October the grantor shall be  
 58 disqualified for such tax deferral in such assessment year. The grantee  
 59 shall be required within a period not exceeding ten days immediately  
 60 following the date of such conveyance to notify the assessor thereof, or  
 61 in the absence of such notice, upon determination by the assessor that  
 62 such transfer, assignment, grant or conveyance has occurred, the  
 63 assessor shall determine the amount of tax deferral benefit to which the  
 64 grantor is entitled for such assessment year with respect to the interest  
 65 in real property conveyed and notify the tax collector of the reduced  
 66 amount of such benefit. Upon receipt of such notice from the assessor,  
 67 the tax collector shall, if such notice is received after the tax due date in  
 68 the municipality, no later than ten days thereafter mail or hand a bill to  
 69 the grantee stating the additional amount of tax due as determined by  
 70 the assessor. Such tax shall be due and payable and collectible as other  
 71 property taxes and subject to the same liens and processes of collection,  
 72 provided such tax shall be due and payable in an initial or single  
 73 installment not sooner than thirty days after the date such bill is mailed  
 74 or handed to the grantee and in equal amounts in any remaining,  
 75 regular installments as the same are due and payable.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020, and applicable to assessment years commencing on or after October 1, 2020</i>	New section

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***Statement of Purpose:***

To help alleviate financial burdens on elderly homeowners by permitting municipalities to defer property taxes for those who qualify for such tax deferrals.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*